

REMARKS/ARGUMENTS

In an Office Action mailed February 6, 2004 (the "Office Action"), the Examiner:

- A. Rejected claims 1, 3-4, and 6-8 under 35 U.S.C. 102(e) as being anticipated by Smith et al. (U.S. Patent No. 6,219,409, hereafter "Smith");
- B. Rejected claims 2, 5, and 16-20 under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Goodman (U.S. Patent No. 6,542,585, hereafter "Goodman");
- C. Rejected claims 9-11 under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Reuss et al. (U.S. Patent No. 6,364,834, hereafter "Reuss"); and
- D. Rejected claims 12-15 under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Nirschberg et al. (U.S. Patent No. 5,699,421, hereafter "Nirschberg").

Applicant thanks the Examiner for his discussion of the new claims and the following remarks in a telephone interview on July 30, 2004. In that interview, the Examiner agreed that the new claims overcome all of the rejections in the Office Action.

REMARKS

Applicant respectfully requests reconsideration in view of the following amendments and remarks.

Claims 1-20 have been cancelled. New claims 21-31 have been added. The new claims are supported by the specification (e.g., pp. 2-3, 5-7, 9-11, and Figs. 1-7) and no new matter has been added.

As noted in the Field of the Invention, the present invention relates to signaling incoming calls to recipients who otherwise may have difficulty hearing a telephone ring. None of the references cited by the Examiner concern or address this problem:

Smith describes "a no-ring access system operating as a gateway for selectively connecting host systems and networks with subscriber premises equipment for voice and data communication applications." (Smith, column 1, lines 14-17, emphasis added)

Goodman concerns "a system for simultaneous two-way communication of video signals and other signals between multiple networks of telephone wiring." (Goodman, column 1, lines 35-37)

Reuss concerns an integrated system for remote medical monitoring of patient physiological parameters. (Reuss, title)

Nirschberg concerns a telephone answering machine that detects dual tone multi-frequency (DTMF) signals in remote access codes that are input by a user after the telephone has been answered by the answering machine.

New independent claims 21, 24, 25, and 31 are allowable over Smith, Goodman, Reuss, and Nirschberg, both individually and in combination, because all of these references fail to teach:

one or more switches for routing an audio input signal to a speaker remote from a headset if one or more frequencies corresponding to an incoming call signal are detected and routing the audio input signal to the headset if the one or more frequencies corresponding to an incoming call signal are not detected (See claim 21);

routing an audio input signal to a speaker remote from a headset if one or more frequencies corresponding to a telephone ring signal are detected, and routing the audio input signal to the headset if the one or more frequencies corresponding to a telephone ring signal are not detected (See claim 24);

sending an output signal to a speaker remote from a headset if a signal corresponding to an incoming call is detected, and sending an audio input signal to the headset if the signal corresponding to an incoming call is not detected (See claim 25); or

a central processing unit with logic that detects a signal corresponding to an incoming call in an audio input signal, sends an output signal to a speaker remote from a headset if the signal corresponding to an incoming call is detected, and sends the audio input signal to the headset if the signal corresponding to an incoming call is not detected (See claim 31).

Because independent claims 21, 24, 25, and 31 are allowable over Smith, Goodman, Reuss, and Nirschberg, new dependent claims 22, 23, and 26-30 are also allowable.

CONCLUSION

In light of the foregoing and the agreement reached during the July 30, 2004 telephone interview, the rejections in the Office Action mailed February 6, 2004 are believed to be traversed, and Applicant requests that the rejections be withdrawn and that the new claims be passed to allowance.

If the Examiner believes a discussion of the above would be useful, he is invited to call the Applicant's attorney, Dr. Robert Beyers, at (650) 843-7528.

Respectfully submitted,

Date: July 30, 2004

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